

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 8 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

SURESHCHANDRA MANSUKH LEHRI

Versus

STATE OF GUJARAT

Appearance:

MR YS LAKHANI for Petitioner

Mr M A Bukhari, APP for Respondent No. 1

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 29/01/97

ORAL JUDGEMENT

The grievance voiced by the petitioner in this Criminal Revision Application is that the petitioner was enlarged on bail by the order passed by the learned Sessions Judge, Amreli dated 30.10.1996. However, by a subsequent order dated 7.11.1996, the learned Judge has remanded the petitioner to police custody. The said order has been passed without hearing the accused-petitioner. The order is also a non-speaking

order.

2. Having heard the learned Advocate for the petitioner as well as the learned APP, ends of justice would meet if the learned Judge considers the application for remand after hearing the accused petitioner. The application for remand will be disposed of by a speaking order.

3. In view of the aforesaid, the order dated 7.11.1996 is quashed and set aside. The learned Sessions Judge, Amreli is directed to decide the application for remand filed by the Special Prosecutor, Amreli, as indicated above in accordance with law.

Rule made absolute to the aforesaid extent.

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